

REMARKS

STATUS OF CLAIMS

Claims 1-27 are pending.

Claims 3-5, 11-14, ~~19~~ and 22-26 are allowed. It is believed that claim 7, which is listed as allowed in the Office Action mailed August 25, 2003 at page 6, item 1 is also allowed, but is mistakenly not listed as allowed in the Advisory Action mailed December 4, 2003. It is believed that claim 19, which is listed as allowed in the Advisory Action mailed December 4, 2003, in fact, is properly allowable since it depends from a rejected base claim 18. (See the Office Action mailed August 25, 2003 at page 4, item 5).

Claims 1-2, 6, 8-10, 15-18 and 20-21 are rejected.

By this Amendment, claims 1, 6 and 18 are amended and claims 2, 8-10, 15-17, 19-21 and 27 are cancelled without prejudice or disclaimer. Therefore, claims 1, 3-7, 11-14, 18, and 22-26 are now presented for consideration.

No new matter is presented in the foregoing claim amendments, accordingly, approval and entry of same are submitted to be proper and are respectfully solicited.

EXAMINER INTERVIEW

An examiner interview was held between Applicant's Representative and the Examiner via telephone on August 29, 2003. Applicant's Representative requested clarification about the rejection of claims 1 and 6 related to the recitation of "resetting maximum amplitude data" (see claim 1) and similar recitations in claim 6. Applicant's Representative believes that the Interview Summary mailed October 1, 2003 is a complete summary of the examiner interview.

REJECTIONS UNDER 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

In the Office Action mailed August 25, 2003, at pages 2-4, item 3, claims 1, 8-10 and 15-17 are rejected under 35 U.S.C. §102(b) as being anticipated by Yamamoto et al. (U.S. Patent No. 5,897,296).

In the Office Action mailed August 25, 2003, at pages 4 and 5, item 4, claim 2, 6, 18, 20-21 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto et al. as applied in claim 1.

Reconsideration is respectfully requested.

Claim 1

Claim 1 incorporates the subject matter of claim 2, claim 2 being cancelled without prejudice. Claim 1, which is directed to an apparatus for controlling a linear compressor, recites "resetting maximum amplitude data of the piston of the linear compressor to reset the preset reference value according to the detected peak of the output signal ... a first storage unit storing preset maximum amplitude data; and a second storage unit storing reset maximum amplitude data from the control unit, the second storage unit being a non-volatile memory to read/write data."

Yamamoto et al. Reference

Yamamoto et al. discloses:

"[t]he driving force control section 16A compares a preset upper dead point position reference value (X in FIG. 3) with an upper dead point position detected by the upper dead point position detecting section 15A ...

If the upper dead point position does not reach the upper dead point position reference value as a result of the comparison ..., the driving force control section 16A increases a driving force of the piston driving section 13A according to a difference between the upper dead point position and the upper dead point position reference value (an upper dead point deviation d1 in FIG. 3) ...

If the upper dead point position is equal to the upper dead point position reference value (t2 in FIG. 3), the driving force control section 16A keeps the current driving force ..., and if the upper dead point position exceeds the upper dead point position reference value, the driving force control section 16A detects that the upper dead point position detecting section 15A has detected an upper dead point position (t3 in FIG. 3) and then immediately attenuates a driving force of the piston driving section 13A according to a difference between the upper dead point position and the upper dead point position reference value (an upper dead point deviation d2 in FIG. 3). (See Yamamoto et al at column 8, line 51 to column 9, line 27."

However, Yamamoto et al. fails to disclose or suggest anything related to “resetting maximum amplitude data of the piston of the linear compressor” and furthermore, thereby “to reset the preset reference value according to the detected peak of the output signal” (as recited in claim 1.) This is because Yamamoto et al. merely changes a driving force given to the piston 12A based on “a preset upper dead point position reference value (X in FIG. 3.)” (See Yamamoto et al. at column 9, lines 34-38.) In particular, in the Yamamoto et al. compressor the preset upper dead point position reference value cannot be reset to a different value.

Moreover, Yamamoto et al. does not disclose or suggest the combination of “a control unit ... to reset the preset reference value according to the detected peak of the output signal and “a first storage unit storing preset maximum amplitude data; and a second storage unit storing reset maximum amplitude data from the control unit” In particular, Yamamoto et al. is silent regarding the combination of resetting the maximum amplitude data and the preset reference value and the structures to accomplish same (i.e., the first and second storage units).

Accordingly, claim 1 is submitted to be allowable for the above-mentioned reasons.

Claim 6

Independent claim 6 is submitted to be allowable for reasons similar to those of claim 1, as well as for the additional recitations therein.

Claim 18

Claim 18 now incorporates the subject matter of claim 19, which is listed as allowed, but is believed to properly be allowable. Accordingly, claim 18 is submitted to be allowable. Claim 19 is cancelled without prejudice.

Claims 2 8-10-15-17, 20-21 and 27

The rejections of claims 2 8-10-15-17, 20-21 and 27 are now moot as claims 2, 8-10, 15-17, 20-21 and 27 are cancelled without prejudice.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that affect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Preliminary Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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